

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** (TO ESTABLISH MITIGATION MEASURES FOR A CONSTRAINED ROADWAY AT A LOWER LEVEL OF SERVICE (CRALLS) DESIGNATION); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on February 22, March 1, and March 8, 2002 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on April 8, 2002 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on July 1, 2002 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated June 28, 2002 which was the Department's written review of the proposed Comprehensive Plan amendments; and

WHEREAS, on August 28, 2002 the Palm Beach County Board of County Commissioners held a public hearing to review the written comments

submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments as modified satisfy the concerns addressed in the Department of Community Affairs' "Objections, Recommendations and Comments Report" and comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the 1989 Comprehensive Plan

Amendments to the text of the following Element of the 1989 Comprehensive Plan are hereby adopted and attached to this Ordinance in Exhibit 1:

- A. Transportation Element, to establish mitigation measures for a Constrained Roadway at a Lower Level of Service (CRALLS) designation; and
- B. Amending all elements as necessary for internal consistency.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a

1 final order is issued by the Department of Community Affairs or
2 Administration Commission finding the amendment in compliance in
3 accordance with Section 163.3184, Florida Statutes, whichever occurs
4 earlier. No development orders, development permits, or land uses
5 dependent on this amendment may be issued or commence before it has
6 become effective. If a final order of noncompliance is issued by the
7 Administration Commission, this amendment may nevertheless be made
8 effective by adoption of a resolution affirming its effective status,
9 a copy of which resolutions shall be sent to the Department of
10 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak
11 Boulevard, Tallahassee, Florida 32399-2100.

12 APPROVED AND ADOPTED by the Board of County Commissioners of
13 Palm Beach County, on the 28 day of August, 2002.

14 ATTEST:

15 DOROTHY H. WILKEN, Clerk

16 PALM BEACH COUNTY, FLORIDA,
17 BY ITS BOARD OF COUNTY COMMISSIONERS

18 By: *Joan Hawley*

19 Deputy Clerk

20 By: *W. Newell*

21 Warren H. Newell, Chairman

22 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

23 *[Signature]*
24 COUNTY ATTORNEY
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27 Filed with the Department of State on the 3 day
28 of September, 2002.

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EXHIBIT 1

A. Transportation Element, CRALLS Mitigation Measures

REVISIONS: To add Policy 1.2-q providing for mitigation measures associated with a CRALLS designation and to revise Policy 1.2-f referencing the measures in proposed Policy 1.2-q. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

1. **REVISED Policy 1.2-f:** The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 1.1-b general level of service standards. Mitigation measures shall be required for any new CRALLS designation adopted after 2001, pursuant to Policy 1.2-q.

(Unchanged text omitted for brevity)

2. **NEW Policy 1.2-q:** Beginning in the first amendment round of year 2002, mitigation measures shall be required for any new CRALLS designation. These measures are intended to improve the mobility in the corridor by increasing the options available to vehicular and non-vehicular travel. Measures to be required may include, but are not limited to, the following, where appropriate:

1. Connectivity measures that will more effectively distribute traffic

- a. Build/ expand alternate roads
 1. Thoroughfare roads
 2. Non-Thoroughfare roads
- b. Use existing Right-of-Way (i.e. canals) where possible, to provide connections for alternative travel modes
- c. Provide access to more than one road
- d. Provide connections between/within developments
- e. Provide frontage/access roads

2. Land use/site planning measures

- a. Provide mixed/multiple uses on site
- b. Provide land use balance regionally
- c. Unify residential and non-residential portions of the project through the master plan to accomplish mixed-use projects
- d. Allow home businesses
- e. Allow accessory units
- f. Create traffic sensitive uses for use in constrained areas
- g. Implement parking strategies (locational)
- h. Incorporate design features oriented towards alternative modes
- i. Introduce or enhance landscaped non-vehicular corridors

3. Transit measures

- a. Provide lump sum payment for capital improvements
- b. Provide lump sum payment for operational costs
- c. Provide on-going funding
- d. Dedicate Land

4. Transportation Systems Management (TSM) measures

- a. Improve intersections
- b. Dedicate transit/HOV lanes
- c. Provide reversible lanes
- d. Improve signal coordination

5. Transportation Demand Management (TDM) measures

- a. Provide incentives for transit, carpool and other modes
- b. Accommodate alternate work hours
- c. Accommodate telecommuting
- d. Implement parking strategies (supply related)

All future CRALLS, where appropriate, shall: 1) identify specific mitigation measures; 2) evaluate measures to encourage the use of alternatives to the Florida Intrastate Highway System; 3) determine timing and responsibility of the implementation of mitigation measures; 4) identify methodology to relate the anticipated impacts of development to the mitigation measures; and 5) demonstrate coordination with appropriate agencies.

The County shall develop and include in the ULDC a series of transportation, land use, and development strategies that can be implemented by individual developers in order to reduce the traffic impacts of future CRALLS designations, where appropriate. Indicators that assess the effectiveness of each strategy for mitigating the traffic impacts of developments will be identified for this system.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on August 28, 2002.
DATED at West Palm Beach, FL on 10/14/02.
DOROTHY H. WILKEN, Clerk
By: Nancy Brown D.C.